



Attorney Docket No. YOR920000220US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): F. Hendriks et al.
Docket No.: YOR920000220US1
Serial No.: 09/642,531
Filing Date: August 18, 2000
Group: 2132
Examiner: Benjamin E. Lanier

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: W. E. Lewis Date: November 21, 2005

Title: Methods and Apparatus for Associating a User with
Content in a Collaborative Whiteboard System

TRANSMITTAL LETTER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is the following document relating to the above-identified patent application:

(1) Response to Notification of Non-Compliant Appeal Brief with enclosures.

There is no additional fee due in conjunction with the response. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **International Business Machines Corporation Deposit Account No. 50-0510** as required to correct the error.

Respectfully submitted,

William E. Lewis

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Date: November 21, 2005



AF
JFW

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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the outstanding Office Action dated October 21, 2005, Applicants (hereinafter "Appellants") present the following remarks for consideration.

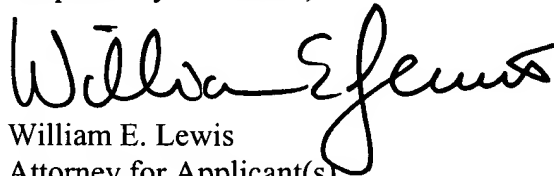
REMARKS

In the Notification of Non-Compliant Appeal Brief, the Examiner alleges that the Appeal Brief filed on February 24, 2005 is missing an "Evidence Appendix" heading and a "Related Proceedings Appendix" heading.

Appellants point out that M.P.E.P. §1205.02 states that "[i]f there is no evidence being relied upon by appellant in the appeal, then an evidence appendix should be included with the indication 'none'" (underlining added for emphasis). The same section also states that "[i]f there are no such copies of decisions being submitted in the appeal, then a related proceedings appendix should be included with the indication 'none'" (underlining added for emphasis). Appellants interpret use of the term "should" as something desirable but not required, as opposed to use of the term "must" which denotes a requirement. This is consistent with the apparent purposeful and selective usage of the two terms in other parts of this section of the M.P.E.P., as well as in other sections of same. Accordingly, Appellants do not believe that such appendices are required and their express absence indicate that no such evidence or copies of decisions are included in the Appeal Brief.

Nonetheless, Appellants submit herewith Supplemental Sheets (pages 16 and 17) containing the appendices and request that they be appended to the Appeal Brief (pages 1 through 15) filed on February 24, 2005. It is therefore requested that the objection be withdrawn and the appeal proceed without further delay.

Respectfully submitted,



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EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None